1867-003 Chancery Causes: Joel Bays vs. Robert McCrosky &c
Lee Co.

Holland, Davis

CA - Contract Dispute

To the Worshipful Court of Lee County Virginia

The bill of Complaint of Joel Days respectfully represents That ~~[illegible]~~ Robert McClosky and Holland of the State of Georgia employed your orator to make certain purchases for them of hogs in this and other Counties. That in pursuance of the said contract for made by your orator with the said McClosky & Holland he purchased on the day of 1861 for them from Messrs Jos. A. Ewing & Robert Ewing & others in the said County 250 hogs and for and in consideration of your orators services in buying for them the said hogs they the said McClosky & Holland undertook and faithfully promised ~~him~~ to pay your orator the sum of $250.00 that is one dollar on each head.

Nevertheless your orator avers that the said McClosky & Holland have not kept their contract as they promised to do. But have departed this State without having paid him the said sum of money or any part thereof nor has either of them paid him the said sum of money as yet or any part thereof

And your orator alleges that the said McClosky & Holland nor either of them own any Estate in this

this State except that your orator ~~understands~~ alleges that one William Davis has in his hands and owes to the said McCrosky & Holland the sum of $100 which is now due & payable

Your orator therefore prays that the said ~~Da~~ Robert McCrosky & Holland and William Davis be made parties defendants to this bill and answer the statements which it contain on oath, that the said Davis answer on oath ~~that~~ what amount he owes the said McCrosky & Holland and that he be restrained from paying the same or any part thereof until the further order of this court and that on a final hearing your orator obtain a decree against the said McCrosky & Holland for the said $250.00 and also a decree against the said Davis for whatever sum it may appear he owes to the said McCrosky & Holland and grant further & general relief. may it please your worships to grant Commonwealth writ of Spa directed &c

Hogan

Charged to May 1866 – (470)

Joel Boys
vs } Bill Inj
Robt McCervik
& Holland

1861. Decr. Term, Injunction granted, as prayed for & Bond given in the sum of $200 – Spa issued &c,
1862. Jan Order Publication
Feb. March Continued
April Decree Nisi & Contd
May Decree Nisi Confd
June July Aug. Sep Octr, Nov. and Decr. Continued
1863 – Continued this year throughout
1864 – Continued this year do
1865 – Continued this year do.
1866. Jan, Feb, March, April May June July Aug Septr. Octr Nov. & Decr. Continued
1867. Jan Feb. March April May June July Aug, Septr. Octr Nov. & Decr. Continued

Virginia

At rules held in the clerks office of the county Court of Lee county on Monday the day of January 1862

Joel Bays Compltt } In Chy
against
Robert McCroskey — Halland & William Davis Defts

The object of this suit is to restrain the Defendant William Davis from paying over or otherwise disposing of any effects he may have in his hands belonging to the said Robert McCroskey & — Halland untill the further order of Court, And it appearing from an affidavit filed in the cause that the said Robert McCroskey and Halland are not citizens of this commonwealth, It is therefore ordered that they appear here within one month after due publication of this order and do what is necessary to protect their interest in this suit

Henry J Morgan Cl

Joel Bays
vs } Order Publication
Robert McCroskey &al

Chd 470

Know all Men by these presents that We Jael Bays and William Robinson are held and firmly bound unto Robert McCrosky — and — Halland in the full Sum of Two hundred dollars for the true payment whereof well and truly to be made to said Robert McCrosky and — Halland, we bind our Selves heirs executors and Administrators firmly by these presents Sealed with our Seals and dated this 17th day of December 1861

The Condition of the above obligation is Such that whereas the above bound Jael Bays has obtained from the county court of Lee county an injunction to restrain William Davis from paying over or otherwise disposing of whatever effects he may have in his hands belonging to Robert McCrosky and — Halland,

Now if the said Jael Bays shall well and truly pay or cause to be paid to said Robert McCrosky and — Halland Such costs and damages as they may sustain by reason of his obtaining said injunction, and Shall well and truly pay to the officers of this court, Such fees as may become due them, then this obligation to be void. otherwise to remain in full force and virtue

Jael J Bays (Seal)

William Robinson (Seal)

Joel J. Bays &al

To } Injunction Bond

McCrosky & Holland

Chd 470

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Robert Mc Crosky —— Holland and William Davis.

to appear before our Justices of our Court of Lee county, at the Court House, in the Clerk's Office, at the January —— Rules next, to answer a Bill in Chancery exhibited in our said Court against them by Joel Bayce

And this they — shall in no wise omit, under the penalty of three hundred and thirty-three dollars and thirty-four cents. And have then there this writ. WITNESS, HENRY J. MORGAN, Clerk of our said Court, at the Court House, this 17th day of December —— 1861, in the 86th year of the Commonwealth.

William S. Saul D.C.

The object of this suit is to restrain the Defendant William Davis from paying over or otherwise disposing of any effects which he may have in his hands belonging to the said Robert McCroskey and — Holland until the further order of court. Bond with approved security having been given.

Teste — William S. Saul. D.C.

176

Joel Rayse

vs } Spa in Chy

Robert McCroskey & als

January Rules 1862

I acknowledge legal Service of the within Summons Decr 17th 1861

Wm Davis

Chd 470